

ORDINANCE NO. 477 N.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES
AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL
AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES'
RETIREMENT SYSTEM

The City Council of the City of El Paso de Robles does ordain as follows:

SECTION 1. That an amendment to the Contract between the City Council of the City of El Paso de Robles and the Board of Administration California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked "Exhibit A", and by such reference made a part hereof as though herein set out in full.

SECTION 2. The Mayor of the City Council is hereby authorized empowered, and directed to execute said amendment for and on behalf of said Agency.

SECTION 3. This Urgency Ordinance shall take effect on June 29, 1983.

ADOPTED AND APPROVED this 28th day of June, 1983, by the following roll call vote:

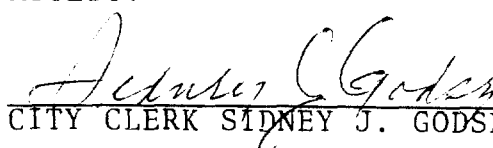
AYES: Councilmen Monroe, Ovitt, Russell and Stemper

NOES: None

ABSENT: Councilman Thorndyke


MAYOR GARY E. STEMPER

ATTEST:


CITY CLERK SIDNEY J. GODSEY

STATE OF CALIFORNIA)
COUNTY OF SAN LUIS OBISPO)ss.
CITY OF EL PASO DE ROBLES)

I, SIDNEY J. GODSEY, City Clerk of the City of El Paso de Robles, California, do hereby certify that the foregoing Ordinance No. 477 N.S. was duly and regularly adopted, passed and approved by the City Council of the City of El Paso de Robles, California, at an adjourned meeting of said City Council held at the regular meeting place thereof, on the 28th day of June, 1983, by the following roll call vote:

AYES: Councilmen Monroe, Ovitt, Russell and Stemper

NOES: None

ABSENT: Councilman Thorndyke

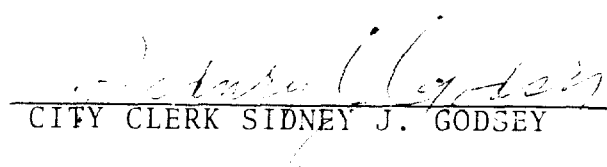

CITY CLERK SIDNEY J. GODSEY

EXHIBIT A

AMENDMENT TO CONTRACT BETWEEN THE BOARD OF ADMINISTRATION PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE CITY OF PASO ROBLES

The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of above public agency, hereinafter referred to as Public Agency, having entered into a contract effective March 1, 1974, and witnessed January 28, 1974, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 9 are hereby stricken from said contract as executed effective March 1, 1974, and hereby replaced by the following paragraphs numbered 1 through 13 inclusive:
1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 60 for local miscellaneous and age 55 for local safety members.
 2. Public Agency shall participate in the Public Employees' Retirement System from and after March 1, 1974 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except such as by express provisions thereof apply only on the election of contracting agencies.
 3. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Firemen (herein referred to as local safety members);
 - b. Local Policemen (herein referred to as local safety members);
 - c. Employees other than local safety members (herein referred to as local miscellaneous members).
 4. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
 - a. ELECTED OFFICIALS.

5. Prior to January 1, 1975, those members who were hired by Public Agency on a temporary and/or seasonal basis not to exceed 6 months were excluded from PERS membership by contract. Government Code Section 20336 supersedes this contract provision by providing that any such temporary and/or seasonal employees are excluded from PERS membership subsequent to January 1, 1975.
6. Assets heretofore accumulated in the local retirement system held by Pacific Mutual Life Insurance Company were transferred to the Public Employees' Retirement System within two-months of March 1, 1974 and applied against the liability for prior service incurred thereunder. That portion of the assets so transferred representing the accumulated contributions (plus interest thereupon) required of the employees under said local system has been credited to the individual membership account of each such employee under the Public Employees' Retirement System.
7. The fraction of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member shall be determined in accordance with Section 21251.13 of said Retirement Law (2% at age 60), supplemental to Social Security coverage.
8. The fraction of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21252.6 of said Retirement Law (2% at age 55), supplemental to Social Security coverage.
9. The following additional provisions of the Public Employees' Retirement Law which apply only upon election of a contracting agency shall apply to the Public Agency and its employees:
 - a. Section 20952.5 (Age 50 voluntary retirement) for local safety members only.
 - b. Section 21361.5 (Local System Service Credit) for local miscellaneous members only.
 - c. Section 20983.6 (Waiver of age 70 retirement) for local miscellaneous members only.
10. Public Agency, in accordance with Section 20740, Government Code, shall cease to be an "employer" for purposes of Chapter 6 of the Public Employees Retirement Law effective as of the effective date of this amendment to contract. Accumulated contributions of Public Agency as of the date of such amendment shall be fixed and determined as provided in Section 20759, Government Code, and such accumulated contributions and contributions hereafter made shall be held by the Board as provided in Section 20759, Government Code.

11. Public Agency shall contribute to said Retirement System as follows:
 - a. With respect to miscellaneous members, the agency shall contribute the following percentages of monthly salaries earned as miscellaneous members of said Retirement System:
 - (1) 3.026 percent until June 30, 2000 on account of the liability for prior service benefits.
 - (2) 3.036 percent until June 30, 2011 on account of the liability for current service benefits.
 - b. With respect to local safety members, the agency shall contribute the following percentages of monthly salaries earned as local safety members of said Retirement System:
 - (1) 2.392 percent until June 30, 2000 on account of the liability for prior service benefits.
 - (2) 11.342 percent until June 30, 2011 on account of the liability for current service benefits.
 - c. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
 - d. A reasonable amount as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
12. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.
13. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within thirty days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances, or adjustments on account of errors in contributions required of any employee may be made by direct cash payments between the employee and the Board. Payments by Public Agency to Board may be made in the form of warrants, bank checks, bank drafts, certified checks, money orders or cash.

B. This amendment shall be attached to said contract and shall be effective on the first day of July, 1983.

Witness our hands the 28th day of June, 1983

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
OF THE
CITY OF PASO ROBLES

BY _____
CARL J. BLECHINGER, EXECUTIVE OFFICER

BY Gary E. Stemper
Presiding Officer
Mayor Gary E. Stemper

Approved as to form:

Attest:

Margaret J. Hoehn, 6/1/83
Margaret J. Hoehn, Legal Office, Date

Sidney J. Godsey
Clerk Sidney J. Godsey

PERS CON-702